



## ENGROSSED 2013 SENATE BILL 509

1     **AN ACT** *to repeal* 341.01 (2) (am), 347.21 (2), 348.05 (2) (c), 348.05 (3) and 348.27  
2           (14); *to renumber* 100.47 (3); *to renumber and amend* 348.05 (2g), 348.07 (2)  
3           (e), 348.17 (5) and 348.28 (1); *to amend* 100.47 (2) (c), 100.47 (4) (intro.), 341.05  
4           (17), 346.09 (1), 346.09 (3) (b), 346.13 (1), (2) and (3), 347.21 (1), 347.21 (1m),  
5           347.22 (2), 347.245 (1), 347.245 (5), 348.05 (2) (a), 348.05 (2) (a), 348.06 (2),  
6           348.07 (1), 348.08 (1) (b), 348.08 (1) (d), 348.08 (2), 348.15 (3) (b), 348.15 (3) (d),  
7           348.15 (3) (f) 2., 348.15 (8), 348.16 (2), 348.17 (6) (a) 2., 348.17 (6) (a) 3., 348.21  
8           (3) (intro.), 348.25 (4) (intro.), 348.25 (8) (b) (intro.), 348.25 (8) (e) and 348.25  
9           (8) (f); *to repeal and recreate* 340.01 (24); and *to create* 100.47 (3) (b), 227.01  
10          (13) (rs), 340.01 (1o), 346.05 (1) (g), 346.13 (4), 347.24 (3), 347.25 (2g), 348.01  
11          (2) (bg), 348.01 (2) (bp), 348.02 (6), 348.03, 348.05 (2) (am), 348.05 (2g), 348.05  
12          (2g) (b), 348.06 (2) (a) and (b), 348.07 (2) (e) 1., 348.07 (2m), 348.09 (3), 348.15  
13          (3) (g), 348.15 (9), 348.17 (5) (a) 1. and 2., 348.21 (3t), 348.27 (19) and 348.28 (1)

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1 (b) of the statutes; **relating to:** operation of agricultural vehicles on highways  
2 and providing a penalty.

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*Analysis by the Legislative Reference Bureau*

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

3 **SECTION 1.** 100.47 (2) (c) of the statutes is amended to read:

4 100.47 (2) (c) Lights and, reflectors, and other marking devices meeting the  
5 applicable requirements under ch. 347 at the time the farm equipment was  
6 manufactured, if farm equipment that can be operated on a highway.

7 **SECTION 2.** 100.47 (3) of the statutes is renumbered 100.47 (3) (a).

8 **SECTION 3.** 100.47 (3) (b) of the statutes is created to read:

9 100.47 (3) (b) No person in the business of selling farm equipment may sell  
10 farm equipment that can be operated on a highway unless, at the time of sale, the  
11 person who sells the farm equipment discloses to the buyer the gross vehicle weight  
12 of the farm equipment.

13 **SECTION 4.** 100.47 (4) (intro.) of the statutes is amended to read:

14 100.47 (4) EXCEPTIONS. (intro.) ~~Subsection (2) does~~ Subsections (2) and (3) (b)  
15 do not apply to:

16 **SECTION 5.** 227.01 (13) (rs) of the statutes is created to read:

17 227.01 (13) (rs) Relates to any form prescribed by the department of  
18 transportation under s. 348.03 (1) or 348.27 (19) (d) 1. or procedure prescribed under  
19 s. 348.27 (19) (d) 2.

20 **SECTION 6.** 340.01 (1o) of the statutes is created to read:

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1           340.01 (1o) “Agricultural commercial motor vehicle” means a commercial  
2 motor vehicle to which all of the following apply:

3           (a) The vehicle is substantially designed or equipped, or materially altered  
4 from its original construction, for the purpose of agricultural use.

5           (b) The vehicle was designed and manufactured primarily for highway use.

6           (c) Unless the vehicle was manufactured prior to 1970, the vehicle was  
7 manufactured to meet federal motor vehicle safety standard certification label  
8 requirements as specified in 49 CFR 567.

9           (d) The vehicle is used exclusively in the conduct of agricultural operations.

10          (e) The vehicle is directly engaged in harvesting farm products, directly applies  
11 fertilizer, spray, or seeds to a farm field, or distributes feed to livestock.

12          **SECTION 7.** 340.01 (24) of the statutes is repealed and recreated to read:

13          340.01 (24) (a) Subject to par. (b), “implement of husbandry” means all of the  
14 following:

15           1. A self-propelled or towed vehicle that is manufactured, designed, or  
16 reconstructed to be used and that is exclusively used in the conduct of agricultural  
17 operations. An “implement of husbandry” may include any of the following:

18           a. A farm tractor.

19           b. A self-propelled combine; a self-propelled forage harvester; self-propelled  
20 fertilizer or pesticide application equipment but not including manure application  
21 equipment; towed tillage, planting, and cultivation equipment and its towing power  
22 unit; or another self-propelled vehicle that directly engages in harvesting farm  
23 products, directly applies fertilizer, spray, or seeds but not manure, or distributes  
24 feed to livestock.

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1 c. A farm wagon, farm trailer, manure trailer, or trailer adapted to be towed by,  
2 or to tow or pull, another implement of husbandry.

3 2. A combination of vehicles in which each vehicle in the vehicle combination  
4 is an implement of husbandry as described in subd. 1. or in which an implement of  
5 husbandry described in subd. 1. c. is towed by a farm truck, farm truck tractor, or  
6 motor truck.

7 (b) “Implement of husbandry” does not include any of the following:

8 1. An agricultural commercial motor vehicle.

9 2. A vehicle that, notwithstanding s. 340.01 (8), is a commercial motor vehicle  
10 under 49 CFR 390.5.

11 **SECTION 8.** 341.01 (2) (am) of the statutes, as affected by 2013 Wisconsin Act  
12 103, is repealed.

13 **SECTION 9.** 341.05 (17) of the statutes is amended to read:

14 341.05 (17) The vehicle is an implement of husbandry or an agricultural  
15 commercial motor vehicle.

16 **SECTION 10.** 346.05 (1) (g) of the statutes is created to read:

17 346.05 (1) (g) If the vehicle is a wide implement of husbandry, as defined in s.  
18 347.24 (3) (a), being operated in compliance with any applicable requirement under  
19 s. 347.24 (3), 347.245 (1), or 347.25 (2g), and the vehicle is operated as much as  
20 practicable on the right half of the roadway and in the right-hand lane of a 3-lane  
21 highway, a portion of the vehicle may extend over the center of the roadway into any  
22 lane intended for travel in the opposite direction and may extend into any passing  
23 lane of a 3-lane highway. A wide implement of husbandry operated as described in  
24 this paragraph is subject to any restriction under ss. 346.06, 346.09 (2) and (3), and  
25 346.59.

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1           **SECTION 11.** 346.09 (1) of the statutes is amended to read:

2           346.09 (1) Upon any roadway where traffic is permitted to move in both  
3 directions simultaneously, the operator of a vehicle shall not drive to the left side of  
4 the center of the roadway in overtaking and passing another vehicle proceeding in  
5 the same direction unless such left side is clearly visible and is free of oncoming  
6 traffic for a sufficient distance ahead to permit such overtaking and passing to be  
7 done in safety. In no case when overtaking and passing on a roadway divided into  
8 4 or more clearly indicated lanes shall the operator of a vehicle drive to the left of the  
9 pavement marking indicating allocation of lanes to vehicles moving in the opposite  
10 direction or, in the absence of such marking, to the left of the center of the roadway.  
11 Except as provided in sub. (3) (b) and s. 346.05 (1) (g), in no case shall the operator  
12 of a vehicle drive in a lane when signs or signals indicate that such lane is allocated  
13 exclusively to vehicles moving in the opposite direction.

14           **SECTION 12.** 346.09 (3) (b) of the statutes is amended to read:

15           346.09 (3) (b) The operator of a vehicle may drive on the left side of the center  
16 of a roadway on any portion thereof which has been designated a no-passing zone,  
17 as described in par. (a), to overtake and pass, with care, any vehicle, except an  
18 implement of husbandry or agricultural commercial motor vehicle, traveling at a  
19 speed less than half of the applicable speed limit at the place of passing.

20           **SECTION 13.** 346.13 (1), (2) and (3) of the statutes are amended to read:

21           346.13 (1) The Except as provided in sub. (4), the operator of a vehicle shall  
22 drive as nearly as practicable entirely within a single lane and shall not deviate from  
23 the traffic lane in which the operator is driving without first ascertaining that such  
24 movement can be made with safety to other vehicles approaching from the rear.

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1           (2) ~~Upon~~ Except as provided in s. 346.05 (1) (g), upon a 2-way roadway which  
2 is divided into 3 lanes the operator of a vehicle may not drive in the center lane except  
3 when overtaking and passing another vehicle where the roadway is clearly visible  
4 and the center lane is clear of traffic within a safe distance, or in preparation for a  
5 left turn or U-turn, or where the center lane is at the time allocated exclusively to  
6 traffic moving in the direction the vehicle is proceeding and is marked or posted to  
7 give notice of the allocation.

8           (3) Notwithstanding sub. (2), but subject to sub. (4), when lanes have been  
9 marked or posted for traffic moving in a particular direction or at designated speeds,  
10 the operator of a vehicle shall drive in the lane designated.

11           **SECTION 14.** 346.13 (4) of the statutes is created to read:

12           346.13 (4) Upon a 2-way roadway with at least 2 lanes for travel in each  
13 direction, a wide implement of husbandry, as defined in s. 347.24 (3) (a), that is being  
14 operated in compliance with any applicable requirement under s. 347.24 (3), 347.245  
15 (1), or 347.25 (2g), and that is being operated as much as practicable within a single  
16 lane may, to the extent necessary, extend into another lane intended for travel in the  
17 same direction if it does not impede other vehicles approaching from the rear.

18           **SECTION 14m.** 347.21 (1) of the statutes is amended to read:

19           347.21 (1) No person shall operate on a highway during hours of darkness any  
20 train of vehicles authorized by s. 348.08 (1) (d) unless there is mounted on each side  
21 of every vehicle in such train, including farm tractors and implements of husbandry,  
22 at least one lamp emitting a red or amber light visible from a distance of 500 feet to  
23 the side of the vehicle on which mounted or, in lieu thereof, at least one red or amber  
24 reflector or, notwithstanding s. 347.245, one slow moving vehicle emblem visible

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1 from all distances within 500 feet to 50 feet of the side of the vehicle when directly  
2 in front of lawful upper beams of headlamps.

3 **SECTION 15.** 347.21 (1m) of the statutes is amended to read:

4 347.21 (1m) No person shall operate on a highway during hours of darkness  
5 any train of vehicles authorized by s. 348.08 (1) (b) unless there is mounted on each  
6 side of every vehicle in such train, ~~including farm tractors and implements of~~  
7 ~~husbandry~~, at least one lamp emitting a red or amber light visible from a distance  
8 of 500 feet to the side of the vehicle on which mounted or, in lieu thereof, at least one  
9 red or amber reflector visible from all distances within 500 feet to 50 feet of the side  
10 of the vehicle when directly in front of lawful upper beams of headlamps.

11 **SECTION 16.** 347.21 (2) of the statutes is repealed.

12 **SECTION 17.** 347.22 (2) of the statutes is amended to read:

13 347.22 (2) No Except as provided in s. 347.25 (2g), no person shall operate or  
14 park a farm tractor, self-propelled farm implement, or lightweight utility vehicle, as  
15 defined in s. 346.94 (21) (a) 2., upon a highway during hours of darkness with any  
16 lamp thereon showing any light to the rear other than red or amber in color.

17 **SECTION 18.** 347.24 (3) of the statutes is created to read:

18 347.24 (3) (a) In this subsection, “wide implement of husbandry” means any  
19 implement of husbandry that has a total width in excess of 15 feet or that partly  
20 extends, when operated primarily on the right half of the roadway, over the center  
21 of the roadway into any lane intended for travel in the opposite direction.

22 (b) Except as provided in par. (bm), no person may operate on a highway any  
23 wide implement of husbandry manufactured before January 1, 2014, unless it is  
24 equipped with all of the following and any lamp or light required under this  
25 paragraph is lighted and visible at the time of operation:

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1           1. At least 2 amber flashing warning lamps, visible from both the front and rear  
2 of the implement of husbandry. When lighted, these lamps shall be capable of being  
3 seen and distinguished under normal atmospheric conditions during hours of  
4 darkness at a distance of 500 feet from the front and rear of the implement of  
5 husbandry. These lamps shall be mounted, as nearly as practicable, to indicate the  
6 extreme width of the implement of husbandry, but not more than 16 inches from the  
7 lateral extremities of the implement of husbandry.

8           2. Red retroreflective conspicuity material, visible to the rear and mounted  
9 within 25 inches of, respectively, the extreme left and extreme right of the implement  
10 of husbandry and spaced as evenly as practicable. This conspicuity material shall  
11 be of such size and characteristics and so maintained as to be readily visible during  
12 the hours of darkness from all distances within 500 feet to 50 feet from the implement  
13 of husbandry when directly in front of lawful upper beams of headlamps.

14           3. At least 2 strips of yellow retroreflective conspicuity material visible to the  
15 front of the implement of husbandry. On the left and right sides of the implement  
16 of husbandry, the outer edge of at least one strip of this material shall be mounted  
17 within 16 inches of, respectively, the extreme left and extreme right of the implement  
18 of husbandry. This conspicuity material shall be of such size and characteristics and  
19 so maintained as to be readily visible during the hours of darkness from all distances  
20 within 500 feet to 50 feet from the implement of husbandry when directly in front of  
21 lawful upper beams of headlamps.

22           4. Subject to ss. 347.06 (1) and (3), 347.13 (2), and 347.22 (1), at least 2 red tail  
23 lamps mounted symmetrically to the rear of the implement of husbandry, or as close  
24 to the rear as practicable. These tail lamps are not required to be wired to light when  
25 headlamps or other lamps light. When lighted, these tail lamps shall be capable of

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1 being seen and distinguished under normal atmospheric conditions during hours of  
2 darkness at a distance of 500 feet from the rear of the implement of husbandry.

3 (bm) A person may operate on a highway, at times other than hours of darkness,  
4 a wide implement of husbandry manufactured before January 1, 2014, that does not  
5 comply with par. (b) if all of the following apply:

6 1. The wide implement of husbandry is accompanied by an escort vehicle  
7 operating with hazard lights activated.

8 2. Two orange or red flags, not less than 12 inches square, are attached to the  
9 rear of the wide implement of husbandry, or as close to the rear as practicable, in a  
10 manner that is clearly visible to the operator of a vehicle approaching from the rear  
11 and that marks the extreme left and extreme right of the implement of husbandry.

12 (c) In addition to any applicable requirement under par. (b) or (bm), if a wide  
13 implement of husbandry has a total width in excess of 22 feet, no person may operate  
14 the implement of husbandry on a highway unless the implement of husbandry is  
15 accompanied by an escort vehicle operating with hazard lights activated. If the  
16 implement of husbandry is being operated on a highway with only one lane for travel  
17 in each direction, the escort vehicle shall be operated ahead of the implement of  
18 husbandry on the highway. If the implement of husbandry is being operated on a  
19 highway with more than one lane for travel in each direction or on a 3-lane highway,  
20 the escort vehicle shall be operated behind the implement of husbandry on the  
21 highway. This paragraph does not apply to an implement of husbandry that is  
22 traveling between fields or between a farm and a field and is operated on the highway  
23 for a distance of 0.5 miles or less.

24 (d) No person may operate on a highway any implement of husbandry  
25 manufactured on or after January 1, 2014, unless it is equipped with all lighting and

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1 marking devices with which the implement of husbandry was originally equipped by  
2 the manufacturer and all such lighting and marking devices are in good working  
3 order and visible at the time of operation.

4 (e) The requirements under this subsection apply in addition to any applicable  
5 requirements under subs. (1) and (2) and ss. 347.21, 347.22, and 347.27.

6 **SECTION 19.** 347.245 (1) of the statutes is amended to read:

7 347.245 (1) After January 1, 1970, no person may operate on a highway, day  
8 or night, any vehicle or equipment, any animal-drawn vehicle, or any other  
9 machinery, including all road machinery, that usually travels at speeds of less than  
10 25 miles per hour or any vehicle operated under a special restricted operator's license  
11 issued under s. 343.135 or any lightweight utility vehicle, as defined in s. 346.94 (21)  
12 (a) 2., or any wide implement of husbandry, as defined in s. 347.24 (3) (a), that is  
13 manufactured before January 1, 2014, unless there is displayed on the most  
14 practicable visible rear area of the vehicle or combination of vehicles, a slow moving  
15 vehicle (SMV) emblem as described in and displayed as provided in sub. (2). Any  
16 towed vehicle or machine is exempt from this provision if the towing vehicle is visible  
17 from the rear and is in compliance with this section. All road machinery is excluded  
18 when it is engaged in actual construction or maintenance work either guarded by a  
19 flagman or clearly visible warning signs. Except as provided in s. 347.21 (1), the  
20 requirement of the emblem shall be in addition to any lighting devices required or  
21 permitted by law. Mopeds and motor bicycles are excluded from the provisions of this  
22 section unless they are operated under a special restricted operator's license issued  
23 under s. 343.135. Electric personal assistive mobility devices are excluded from the  
24 provisions of this section. The SMV emblem need not be displayed on vehicles  
25 moving directly across the highway.

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1           **SECTION 20.** 347.245 (5) of the statutes is amended to read:

2           347.245 (5) This section does not apply to any vehicle or combination of vehicles  
3 to the left rear of which is attached a yellow or amber flashing light at least 4 inches  
4 in diameter, except to a wide implement of husbandry, as defined in s. 347.24 (3) (a),  
5 that is manufactured before January 1, 2014.

6           **SECTION 21.** 347.25 (2g) of the statutes is created to read:

7           347.25 (2g) No person may operate on a highway any self-propelled implement  
8 of husbandry manufactured before January 1, 2014, and having a total width in  
9 excess of 12 feet, unless it is equipped with a 360-degree yellow or amber rotating  
10 strobe or beacon light, mounted at the highest practicable point, or 2 flashing amber  
11 lights visible to the front and rear, and the light or lights are activated.

12           **SECTION 22.** 348.01 (2) (bg) of the statutes is created to read:

13           348.01 (2) (bg) “Implement dealer” means any person engaged in the business  
14 of delivering, repairing, or servicing implements of husbandry or agricultural  
15 commercial motor vehicles.

16           **SECTION 23.** 348.01 (2) (bp) of the statutes is created to read:

17           348.01 (2) (bp) “Potato harvester” means a self-propelled implement of  
18 husbandry designed and used exclusively for harvesting potatoes.

19           **SECTION 24.** 348.02 (6) of the statutes is created to read:

20           348.02 (6) The provisions of this chapter apply to implements of husbandry and  
21 agricultural commercial motor vehicles.

22           **SECTION 25.** 348.03 of the statutes is created to read:

23           **348.03 Self-certification for agricultural commercial motor vehicles.**

24           (1) The department shall prescribe a form for the owner or operator of an

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1 agricultural commercial motor vehicle to certify that the vehicle and its operation  
2 satisfy all requirements specified in the definition under s. 340.01 (1o).

3 (2) The certification on the form under sub. (1) of an owner or operator of an  
4 agricultural commercial motor vehicle may be offered to the department or any  
5 traffic officer as evidence of the truth of the matters asserted in the certification, but  
6 the certification is not conclusive of such matters.

7 **SECTION 26.** 348.05 (2) (a) of the statutes is amended to read:

8 348.05 (2) (a) No limitation for implements of husbandry temporarily operated  
9 upon a highway in the course of performance of its work.

10 **SECTION 27.** 348.05 (2) (a) of the statutes, as affected by 2013 Wisconsin Act ....  
11 (this act), is amended to read:

12 348.05 (2) (a) ~~No~~ Subject to ss. 347.24 (3), 347.245 (1), and 347.25 (2g), no  
13 limitation for implements of husbandry.

14 **SECTION 28.** 348.05 (2) (am) of the statutes is created to read:

15 348.05 (2) (am) Ten feet for an agricultural commercial motor vehicle, except  
16 that, if the agricultural commercial motor vehicle is operated for purposes of  
17 spraying pesticides or spreading lime or fertilizer but not including manure  
18 application and has extending tires, fenders, or fender flares, the total outside width  
19 of the agricultural commercial motor vehicle may not exceed 12 feet.

20 **SECTION 29.** 348.05 (2) (c) of the statutes is repealed.

21 **SECTION 30.** 348.05 (2g) of the statutes is created to read:

22 348.05 (2g) Subsection (2) (a) also applies to implements of husbandry while  
23 being operated or transported by an implement dealer or farmer for purposes of  
24 delivery, repair, or servicing of the implement of husbandry if the implement of

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1 husbandry is being operated or transported under either of the following  
2 circumstances:

3 (a) Directly from a farmer's owned or leased land to the business location of an  
4 implement dealer that is within a 75-mile radius of the farmer's owned or leased  
5 land.

6 (b) Directly from the business location of an implement dealer to a farmer's  
7 owned or leased land that is within a 75-mile radius of the implement dealer's  
8 business location.

9 **SECTION 31.** 348.05 (2g) of the statutes, as created by 2013 Wisconsin Act ...  
10 (this act), is renumbered 348.05 (2g) (a), and 348.05 (2g) (a) (intro.), as renumbered,  
11 is amended to read:

12 348.05 (2g) (a) (intro.) Subsection Subject to par. (b), subsection (2) (a) also  
13 applies to implements of husbandry while being operated or transported by an  
14 implement dealer or farmer for purposes of delivery, repair, or servicing of the  
15 implement of husbandry if the implement of husbandry is being operated or  
16 transported under either of the following circumstances:

17 **SECTION 32.** 348.05 (2g) (b) of the statutes is created to read:

18 348.05 (2g) (b) Paragraph (a) applies only if the person operating or  
19 transporting the implement of husbandry complies with ss. 347.24 (3), 347.245 (1),  
20 and 347.25 (2g), as applicable. For purposes of this paragraph, the requirements  
21 under ss. 347.24 (3), 347.245 (1), and 347.25 (2g) shall apply to an implement of  
22 husbandry being transported to the same extent as if the implement of husbandry  
23 were being operated.

24 **SECTION 33.** 348.05 (3) of the statutes is repealed.

25 **SECTION 34.** 348.06 (2) of the statutes is amended to read:

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1           348.06 (2) Implements of husbandry of any height may be temporarily  
2 operated upon a highway without a permit for excessive height. The operator of the  
3 implement of husbandry is responsible for ensuring that there is adequate height  
4 clearance between the implement of husbandry and any overhead structure or  
5 obstruction, other than a structure or obstruction that is any of the following:

6           **SECTION 34m.** 348.06 (2) (a) and (b) of the statutes are created to read:

7           348.06 (2) (a) Any overhead utility line that does not satisfy the requirements  
8 of the state electric code promulgated by the public service commission.

9           (b) Any overhead electric line of a cooperative association that is organized  
10 under ch. 185 and that does not comply with the National Electrical Safety Code.

11           **SECTION 35.** 348.07 (1) of the statutes is amended to read:

12           348.07 (1) No person, without a permit therefor, may operate on a highway any  
13 single vehicle with an overall length in excess of 45 feet or any combination of 2  
14 vehicles with an overall length in excess of 70 feet, except as otherwise provided in  
15 subs. (2), (2a), (2m), and (4m) and s. 348.08 (1).

16           **SECTION 36.** 348.07 (2) (e) of the statutes is renumbered 348.07 (2) (e) 2. and  
17 amended to read:

18           348.07 (2) (e) 2. ~~No limitation~~ One hundred feet for implements of husbandry  
19 ~~temporarily operated upon a highway~~ that are 2-vehicle combinations.

20           **SECTION 37.** 348.07 (2) (e) 1. of the statutes is created to read:

21           348.07 (2) (e) 1. Sixty feet for an implement of husbandry that is a single  
22 vehicle.

23           **SECTION 38.** 348.07 (2m) of the statutes is created to read:

24           348.07 (2m) Subsection (2) (e) also applies to implements of husbandry while  
25 being operated or transported by an implement dealer or farmer for purposes of

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1 delivery, repair, or servicing of the implement of husbandry if the implement of  
2 husbandry is being operated or transported under either of the following  
3 circumstances:

4 (a) Directly from a farmer's owned or leased land to the business location of an  
5 implement dealer that is within a 75-mile radius of the farmer's owned or leased  
6 land.

7 (b) Directly from the business location of an implement dealer to a farmer's  
8 owned or leased land that is within a 75-mile radius of the implement dealer's  
9 business location.

10 **SECTION 39.** 348.08 (1) (b) of the statutes is amended to read:

11 348.08 (1) (b) ~~Two trailers used primarily as implements of husbandry in~~  
12 ~~connection with seasonal agricultural activities or one such trailer and any other~~  
13 ~~implement of husbandry may, without such permit, be drawn by a farm tractor if the~~  
14 ~~operation of such combination of vehicles is exclusively a farming operation and not~~  
15 ~~for the transportation of property for hire and, or attached to, another implement of~~  
16 husbandry if the overall length of such combination of vehicles does not exceed 60  
17 70 feet, or 100 feet if the vehicle combination is traveling at a speed of not more than  
18 25 miles per hour.

19 **SECTION 40.** 348.08 (1) (d) of the statutes is amended to read:

20 348.08 (1) (d) Two trailers transporting empty pressurized or nonpressurized  
21 tanks used for hauling or storing liquid agricultural fertilizer or 2 implements of  
22 husbandry, including 2 empty trailers used primarily as implements of husbandry  
23 in connection with seasonal agricultural activities, may, without such permit, be  
24 drawn by a motor truck ~~or~~, truck tractor, or agricultural commercial motor vehicle  
25 if the overall length of such combination of vehicles and load does not exceed 60 70

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1 feet or, if the vehicle combination is traveling at a speed of not more than 25 miles  
2 per hour, 100 feet. For purposes of this paragraph, “empty” means less than 20% full.

3 **SECTION 41.** 348.08 (2) of the statutes is amended to read:

4 348.08 (2) Whenever any train of agricultural ~~vehicles~~ implements of  
5 husbandry is being operated under sub. (1) (b), the train shall be equipped as  
6 provided in s. 347.21 (1m) ~~and (2)~~. Whenever any train of agricultural vehicles is  
7 being operated under sub. (1) (d), the train shall be equipped as provided in s. 347.21  
8 (1) ~~and (2)~~. The trailer hitches of a train of agricultural vehicles described in this  
9 subsection shall be of a positive nature so as to prevent accidental release.

10 **SECTION 42.** 348.09 (3) of the statutes is created to read:

11 348.09 (3) This section does not apply if the load is an implement of husbandry  
12 or agricultural commercial motor vehicle being transported as provided in s. 348.05  
13 (2g).

14 **SECTION 43.** 348.15 (3) (b) of the statutes is amended to read:

15 348.15 (3) (b) The gross weight imposed on the highway by the wheels of any  
16 one axle may not exceed 20,000 pounds or, if the vehicle or combination of vehicles  
17 is an implement of husbandry or agricultural commercial motor vehicle operated on  
18 or before January 1, 2020, 23,000 pounds. In addition, the gross weight imposed on  
19 the highway by the wheels of the steering axle of a truck tractor may not exceed  
20 13,000 pounds unless the manufacturer’s rated capacity of the axle and the tires is  
21 sufficient to carry the weight, but not to exceed 20,000 pounds.

22 **SECTION 44.** 348.15 (3) (d) of the statutes is amended to read:

23 348.15 (3) (d) Notwithstanding ~~par. pars.~~ par. (c) and (g), 2 consecutive sets of  
24 tandem axles may impose on the highway a gross load of 34,000 pounds each if the

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1 overall distance between the first and last axles of such consecutive sets of tandem  
2 axles is 36 feet or more.

3 **SECTION 45.** 348.15 (3) (f) 2. of the statutes is amended to read:

4 348.15 (3) (f) 2. Notwithstanding pars. (a) to (c) and (g), sub. (4), and ss. 348.17  
5 and 349.16, and subject to subd. 3., in the case of a heavy-duty vehicle equipped with  
6 idle reduction technology, the gross weight of the vehicle, and the gross weight  
7 imposed on the highway by the wheels of any one axle or axle group of the vehicle,  
8 may exceed the applicable weight limitation specified in pars. (a) to (c) or (g) or posted  
9 as provided in s. 348.17 (1) by not more than 400 pounds or the weight of the idle  
10 reduction technology, whichever is less.

11 **SECTION 46.** 348.15 (3) (g) of the statutes is created to read:

12 348.15 (3) (g) Notwithstanding par. (c), if the vehicle or combination of vehicles  
13 is an implement of husbandry or agricultural commercial motor vehicle operated on  
14 or before January 1, 2020, the gross weight imposed on the highway by any group  
15 of 2 or more consecutive axles of the vehicle or vehicle combination may not exceed  
16 the maximum gross weights in the following table for each of the respective distances  
17 between axles and the respective numbers of axles of a group: [See Figure 348.15 (3)  
18 (g) following]

**ENGROSSED SENATE BILL 509****SECTION 46****Figure 348.15 (3) (g):**

Maximum gross weight in pounds on a group of—

| Distances in feet between foremost and rear-most axles of a group | 2 axles of a vehicle or combination of vehicles | 3 axles of a vehicle or combination of vehicles | 4 axles of a vehicle or combination of vehicles | 5 axles of a vehicle or combination of vehicles | 6 axles of a vehicle or combination of vehicles | 7 axles of a vehicle or combination of vehicles | 8 axles of a vehicle or combination of vehicles |
|---|---|---|---|---|---|---|---|
| 4   | 39,500  | 45,000  | 51,500  | 58,500  | 65,000  | 72,000  | 79,000  |
| 5   | 40,500  | 46,000  | 52,500  | 59,000  | 66,000  | 72,500  | 79,500  |
| 6   | 41,500  | 47,000  | 53,000  | 60,000  | 66,500  | 73,500  | 80,000  |
| 7   | 43,000  | 47,500  | 54,000  | 60,500  | 67,000  | 74,000  | 80,500  |
| 8   | 44,000  | 48,500  | 54,500  | 61,000  | 68,000  | 74,500  | 81,500  |
| 9   | 45,000  | 49,500  | 55,500  | 62,000  | 68,500  | 75,500  | 82,000  |
| 10  | 46,000  | 50,500  | 56,000  | 62,500  | 69,000  | 76,000  | 82,500  |
| 11  |   | 51,000  | 57,000  | 63,500  | 70,000  | 76,500  | 83,500  |
| 12  |   | 52,000  | 57,500  | 64,000  | 70,500  | 77,500  | 84,000  |
| 13  |   | 53,000  | 58,500  | 65,000  | 71,500  | 78,000  | 84,500  |
| 14  |   | 53,500  | 59,500  | 65,500  | 72,000  | 78,500  | 85,500  |
| 15  |   | 54,500  | 60,000  | 66,000  | 72,500  | 79,500  | 86,000  |
| 16  |   | 55,500  | 61,000  | 67,000  | 73,500  | 80,000  | 86,500  |
| 17  |   | 56,500  | 61,500  | 67,500  | 74,000  | 80,500  | 87,500  |
| 18  |   | 57,000  | 62,500  | 68,500  | 75,000  | 81,500  | 88,000  |
| 19  |   | 58,000  | 63,000  | 69,000  | 75,500  | 82,000  | 88,500  |
| 20  |   | 59,000  | 64,000  | 70,000  | 76,000  | 82,500  | 89,500  |
| 21  |   | 60,000  | 64,500  | 70,500  | 77,000  | 83,500  | 90,000  |
| 22  |   | 60,500  | 65,500  | 71,500  | 77,500  | 84,000  | 90,500  |
| 23  |   | 61,500  | 66,000  | 72,000  | 78,000  | 84,500  | 91,500  |
| 24  |   | 62,500  | 67,000  | 72,500  | 79,000  | 85,500  | 92,000  |
| 25  |   | 63,000  | 67,500  | 73,500  | 79,500  | 86,000  |   |
| 26  |   | 64,000  | 68,500  | 74,000  | 80,500  | 86,500  |   |
| 27  |   | 65,000  | 69,000  | 75,000  | 81,000  | 87,500  |   |
| 28  |   | 66,000  | 70,000  | 75,500  | 81,500  | 88,000  |   |
| 29  |   |   | 71,000  | 76,500  | 82,500  | 88,500  |   |

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| Distances in feet between foremost and rear-most axles of a group | 2 axles of a vehicle or combination of vehicles | 3 axles of a vehicle or combination of vehicles | 4 axles of a vehicle or combination of vehicles | 5 axles of a vehicle or combination of vehicles | 6 axles of a vehicle or combination of vehicles | 7 axles of a vehicle or combination of vehicles | 8 axles of a vehicle or combination of vehicles |
|---|---|---|---|---|---|---|---|
| 30  |   |   | 71,500  | 77,000  | 83,000  | 89,500  |   |
| 31  |   |   | 72,500  | 77,500  | 83,500  | 90,000  |   |
| 32  |   |   | 73,000  | 78,500  | 84,500  | 90,500  |   |
| 33  |   |   | 74,000  | 79,000  | 85,000  | 91,500  |   |
| 34  |   |   | 74,500  | 80,000  | 86,000  | 92,000  |   |
| 35  |   |   | 75,500  | 80,500  | 86,500  |   |   |
| 36  |   |   | 76,000  | 81,500  | 87,000  |   |   |
| 37  |   |   | 77,000  | 82,000  | 88,000  |   |   |
| 38  |   |   | 77,500  | 83,000  | 88,500  |   |   |
| 39  |   |   | 78,000  | 83,500  | 89,500  |   |   |
| 40  |   |   | 79,000  | 84,000  | 90,000  |   |   |
| 41  |   |   | 80,000  | 85,000  | 90,500  |   |   |
| 42  |   |   | 80,500  | 85,500  | 91,500  |   |   |
| 43  |   |   | 81,500  | 86,500  | 92,000  |   |   |
| 44  |   |   | 82,500  | 87,000  |   |   |   |
| 45  |   |   | 83,000  | 88,000  |   |   |   |
| 46  |   |   | 84,000  | 88,500  |   |   |   |
| 47  |   |   | 84,500  | 89,000  |   |   |   |
| 48  |   |   | 85,500  | 90,000  |   |   |   |
| 49  |   |   | 86,000  | 90,500  |   |   |   |
| 50  |   |   | 87,000  | 91,500  |   |   |   |
| 51  |   |   | 87,500  | 92,000  |   |   |   |
| 52  |   |   | 88,500  |   |   |   |   |
| 53  |   |   | 89,000  |   |   |   |   |
| 54  |   |   | 90,000  |   |   |   |   |
| 55  |   |   | 90,500  |   |   |   |   |
| 56  |   |   | 91,500  |   |   |   |   |
| 57  |   |   | 92,000  |   |   |   |   |

1

**SECTION 47.** 348.15 (8) of the statutes is amended to read:

**ENGROSSED SENATE BILL 509****SECTION 47**

1           348.15 (8) Unless the department provides otherwise by rule, any axle of a  
2 vehicle or combination of vehicles which does not impose on the highway at least 8%  
3 of the gross weight of the vehicle or combination of vehicles may not be counted as  
4 an axle for the purposes of sub. (3) (c) and (g).

5           **SECTION 48.** 348.15 (9) of the statutes is created to read:

6           348.15 (9) (a) Except as provided in pars. (c), (e), and (f), the increased weight  
7 allowance for implements of husbandry and agricultural commercial motor vehicles  
8 under sub. (3) (b) and (g) applies in lieu of, not in addition to, any other increased  
9 weight allowance for implements of husbandry authorized under this chapter.

10          (b) Except as provided in par. (e), the maximum gross weight for an implement  
11 of husbandry or agricultural commercial motor vehicle operated on a highway  
12 without a permit may not exceed 92,000 pounds.

13          (c) 1. Notwithstanding sub. (3) (b), (c), and (g), there is no weight limitation per  
14 wheel, axle, or group of axles for an implement of husbandry that is an empty potato  
15 harvester if, subject to subd. 2., the potato harvester is accompanied by one or more  
16 escort vehicles operating with hazard lights activated, except that such a potato  
17 harvester is subject to any weight limitation posted as provided in s. 348.17 (1).  
18 Except as provided in par. (e), a potato harvester is subject to the maximum gross  
19 weight limitation for implements of husbandry specified in par. (b).

20          2. A potato harvester is not required to be accompanied by any escort vehicle  
21 under subd. 1. if the potato harvester is traveling between fields or between a farm  
22 and a field and is operated on the highway for a distance of 0.5 miles or less.

23          (d) The increased weight allowance for implements of husbandry and  
24 agricultural commercial motor vehicles under sub. (3) (b) and (g) does not apply on  
25 any highway that is a part of the national system of interstate and defense highways.

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1 (e) 1. Notwithstanding par. (c) and sub. (3) (b), (c), and (g), but subject to subd.  
2 3., there is no weight limitation per wheel, axle, or group of axles, and no gross weight  
3 limitation, for an implement of husbandry or agricultural commercial motor vehicle  
4 while being operated or transported by an implement dealer or farmer for purposes  
5 of delivery, repair, or servicing of the implement of husbandry or agricultural  
6 commercial motor vehicle if the implement of husbandry or agricultural commercial  
7 motor vehicle is being operated or transported under either of the following  
8 circumstances:

9 a. Directly from a farmer's owned or leased land to the business location of an  
10 implement dealer that is within a 75-mile radius of the farmer's owned or leased  
11 land.

12 b. Directly from the business location of an implement dealer to a farmer's  
13 owned or leased land that is within a 75-mile radius of the implement dealer's  
14 business location.

15 2. Notwithstanding par. (c) and sub. (3) (b), (c), and (g), but subject to subd. 3.,  
16 there is no weight limitation per wheel, axle, or group of axles, and no gross weight  
17 limitation, for an implement of husbandry described in s. 340.01 (24) (a) 1. b. that is  
18 traveling between fields or between a farm and a field and is operated on the highway  
19 for a distance of 0.5 miles or less.

20 3. Subdivisions 1. and 2. do not apply on any highway that is a part of the  
21 national system of interstate and defense highways or that is posted with a weight  
22 limitation as provided in s. 348.17 (1).

23 (f) 1. Notwithstanding par. (c) and sub. (3) (b), (c), and (g), and except as  
24 provided in subd. 3. and par. (e), there is no weight limitation per wheel, axle, or  
25 group of axles, and no gross weight limitation other than that specified in par. (b),

**ENGROSSED SENATE BILL 509****SECTION 48**

1 for an implement of husbandry described in s. 340.01 (24) (a) 1. b. being operated on  
2 a highway that is not designated under subd. 2. a.

3 2. a. The governing body of a municipality or county may, by resolution or  
4 ordinance, designate highways under the municipality's or county's jurisdiction, for  
5 maintenance purposes, on which the statutory weight limits prescribed under this  
6 section, other than this paragraph, for implements of husbandry apply to  
7 implements of husbandry described in s. 340.01 (24) (a) 1. b. If a resolution or  
8 ordinance is adopted under this subd. 2. a., any weight limit resulting from the  
9 resolution or ordinance is considered to be a weight limit imposed by this chapter and  
10 any violation is considered to be a violation of the applicable weight limits prescribed  
11 under this section.

12 b. For a resolution or ordinance under this subdivision to be effective in any  
13 calendar year, the resolution or ordinance must be adopted on or before January 15  
14 of that calendar year or in a prior year. A resolution or ordinance adopted under this  
15 subdivision shall be valid for at least one calendar year.

16 c. Each municipality or county that designates highways under subd. 2. a. shall  
17 forward to the department a copy of the resolution or ordinance, and the department  
18 shall publish the resolution or ordinance on the department's Internet site.

19 3. Subdivision 1. does not apply on any highway that is a state trunk highway  
20 or that is posted with a weight limitation as provided in s. 348.17 (1).

21 (g) This subsection does not apply after January 1, 2020, and any resolution  
22 or ordinance adopted under par. (f) 2. a. on or before January 1, 2020, is void after  
23 January 1, 2020.

24 **SECTION 49.** 348.16 (2) of the statutes is amended to read:

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1           348.16 (2) Except as provided in sub. (3) and s. 348.175 and subject to any  
2 modifications made by a city of the first class pursuant to s. 349.15 (3), no person,  
3 without a permit therefor, shall operate on a class “B” highway any vehicle or  
4 combination of vehicles imposing wheel, axle, group of axles, or gross weight on the  
5 highway exceeding 60 percent of the weights authorized in s. 348.15 (3). This  
6 subsection does not apply, from the effective date of this subsection ... [ LRB inserts  
7 date], to January 1, 2020, to a potato harvester or an implement of husbandry or  
8 agricultural commercial motor vehicle being operated or transported as described in  
9 s. 348.15 (9) (e) or (f) 1.

10           **SECTION 50.** 348.17 (5) of the statutes is renumbered 348.17 (5) (a) and  
11 amended to read:

12           348.17 (5) (a) From September 1 to December 31 of each year, no permit shall  
13 be required for the transportation of corn, soybeans, potatoes, vegetables, or  
14 cranberries from the field to storage on the grower’s owned or leased land, from the  
15 field to initial storage at a location not owned or leased by the grower, or from the field  
16 to initial processing in a vehicle or combination of vehicles ~~having a registered gross~~  
17 ~~weight of 50,000 pounds or more or described in s. 340.01 (24) (b) that exceeds the~~  
18 ~~weight limitations under s. 348.15 by not more than 15 percent.~~ and that satisfies  
19 all of the following:

20           (b) This subsection does not apply to the national system of interstate and  
21 defense highways, except for that portion of I 39 between USH 51 and I 90/94.

22           **SECTION 51.** 348.17 (5) (a) 1. and 2. of the statutes are created to read:

23           348.17 (5) (a) 1. Has a registered gross weight of 50,000 pounds or more.

**ENGROSSED SENATE BILL 509****SECTION 51**

1           2. Is a motor truck, farm truck, road tractor, truck tractor, or farm truck tractor  
2 or such a vehicle combined with a semitrailer, trailer, or farm trailer, when the  
3 vehicle or combination is a commercial motor vehicle operated on a highway.

4           **SECTION 52.** 348.17 (6) (a) 2. of the statutes is amended to read:

5           348.17 (6) (a) 2. Is described in s. 340.01 (24) (b) a motor truck, farm truck, road  
6 tractor, truck tractor, or farm truck tractor or such a vehicle combined with a  
7 semitrailer, trailer, or farm trailer, when the vehicle or combination is a commercial  
8 motor vehicle operated on a highway.

9           **SECTION 53m.** 348.17 (6) (a) 3. of the statutes is amended to read:

10           348.17 (6) (a) 3. Is an implement of husbandry ~~as defined in s. 340.01 (24) (a).~~  
11 This subdivision does not apply from the effective date of this subdivision .... [LRB  
12 inserts date], to January 1, 2020.

13           **SECTION 54.** 348.21 (3) (intro.) of the statutes is amended to read:

14           348.21 (3) (intro.) Except as provided in sub. (3g), and subject to sub. (3t), any  
15 person violating s. 348.15 or 348.16 or any weight limitation posted as provided in  
16 s. 348.17 (1) or in a declaration issued under s. 348.175 or authorized under s. 348.17  
17 (3), (5), or (6) or in an overweight permit issued under s. 348.26 or 348.27 may be  
18 penalized as follows:

19           **SECTION 55.** 348.21 (3t) of the statutes is created to read:

20           348.21 (3t) (a) In the case of a violation of s. 348.15 (3) (g), the penalty shall be  
21 computed on the basis of the weights stated in s. 348.15 (3) (c).

22           (b) In the case of a violation of s. 348.15 (3) (b) involving an implement of  
23 husbandry or agricultural commercial motor vehicle, the penalty shall be computed  
24 on the basis of a permissible weight of 20,000 pounds.

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1 (c) This subsection does not apply to violations committed after January 1,  
2 2020.

3 **SECTION 56.** 348.25 (4) (intro.) of the statutes is amended to read:

4 348.25 (4) (intro.) Except as provided under s. 348.26 (4), (6), or (7) or 348.27  
5 (3), (3m), (4m), (9), (9m), (9r), (9t), (10), (12), (15), (16), ~~or (18)~~, or (19), permits shall  
6 be issued only for the transporting of a single article or vehicle which exceeds  
7 statutory size, weight or load limitations and which cannot reasonably be divided or  
8 reduced to comply with statutory size, weight or load limitations, except that:

9 **SECTION 57.** 348.25 (8) (b) (intro.) of the statutes is amended to read:

10 348.25 (8) (b) (intro.) ~~Unless~~ Except as provided in s. 348.27 (19) (c) 5., unless  
11 a different fee is specifically provided, the department shall charge the following fees  
12 for the first permit and each subsequent or revalidated annual or multiple trip  
13 permit issued under s. 348.27 except that no fee may be charged for the amendment  
14 of a permit under s. 348.27 (3m):

15 **SECTION 58.** 348.25 (8) (e) of the statutes is amended to read:

16 348.25 (8) (e) ~~The~~ Except as provided in s. 348.27 (19) (c) 5., the officer or agency  
17 authorized to issue a permit under s. 348.26 or 348.27 may require any applicant for  
18 a permit under s. 348.26 or 348.27 to pay the cost of any special investigation  
19 undertaken to determine whether a permit should be approved or denied.

20 **SECTION 59.** 348.25 (8) (f) of the statutes is amended to read:

21 348.25 (8) (f) Any local officer or agency authorized to issue a permit under s.  
22 348.26 or 348.27 may charge a permit issuance fee for each permit issued under s.  
23 348.26 and for the first and each subsequent or revalidated permit issued under s.  
24 348.27. This paragraph does not apply to the amendment of a permit under s. 348.27  
25 (3m) or to a permit issued under s. 348.27 (19).

**ENGROSSED SENATE BILL 509****SECTION 60**

1           **SECTION 60.** 348.27 (14) of the statutes is repealed.

2           **SECTION 61.** 348.27 (19) of the statutes is created to read:

3           348.27 (19) NO-FEE PERMITS FOR IMPLEMENTS OF HUSBANDRY AND AGRICULTURAL  
4           COMMERCIAL MOTOR VEHICLES THAT EXCEED LENGTH OR WEIGHT LIMITATIONS. (a) In this  
5           subsection, “maintaining authority” means the following:

6           1. The department or its designee, with respect to state trunk highways.

7           2. The municipality or county responsible for maintenance of the highway or  
8           its designee, with respect to any highway that is not a state trunk highway, including  
9           any connecting highway.

10           (b) 1. Subject to subds. 3. and 5. b. and par. (c), a person may apply to the  
11           maintaining authority of a highway for an annual or consecutive month, no-fee  
12           permit to operate an implement of husbandry or agricultural commercial motor  
13           vehicle that exceeds limitations on length or weight, or both, imposed by this chapter.  
14           Upon receiving an application for a no-fee permit under this subsection, the  
15           maintaining authority shall provide the applicant with a final decision on the  
16           application within 3 weeks of its receipt. If the maintaining authority fails to  
17           approve or deny the application within this 3-week period, the application is  
18           considered approved until the applicant receives a denial meeting the requirements  
19           under subd. 4. or until 6 weeks from receipt of the application. If the maintaining  
20           authority fails to approve or deny the application within 6 weeks of its receipt, the  
21           application is approved.

22           2. Subject to subd. 3. and par. (c), any person to whom a no-fee permit has been  
23           issued under this subsection may, at any time, apply for an amendment to the permit  
24           to reflect a change in the applicant’s circumstances or information, including a  
25           change in the listing or map of highways to be traveled. Upon receiving an

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1 application for amendment under this subdivision, the maintaining authority shall  
2 provide the applicant with a decision on the application within 5 business days of its  
3 receipt. If the maintaining authority fails to approve or deny the application within  
4 this period of 5 business days, the application is considered approved until the  
5 applicant receives a denial meeting the requirements under subd. 4. or until 10  
6 business days from receipt of the application. If the maintaining authority fails to  
7 approve or deny the application within 10 business days of its receipt, the application  
8 is approved. This subdivision does not apply if the permit is a resolution or ordinance  
9 adopted under subd. 5.

10 3. Except as provided in subd. 5. b., an application under subd. 1. or 2. shall be  
11 made on the form prescribed by the department under par. (d) 1.

12 4. If a maintaining authority denies a permit application under subd. 1. or 2.,  
13 it shall notify the applicant in writing of the denial and the notice shall include a  
14 reasonable and structurally based explanation of the denial that relates to the  
15 preservation of the roadway.

16 4m. a. If a maintaining authority receives a permit application with respect to  
17 an implement of husbandry described in s. 340.01 (24) (a) 1. b. and the only basis to  
18 deny the application is the listing or map of highways under par. (c) 3. accompanying  
19 the application, the maintaining authority shall modify the application to include an  
20 approved alternate route or map of highways for operation of the implement of  
21 husbandry and approve the application.

22 b. The approved alternate route or map of highways under subd. 4m. a. may  
23 include highways that are not under the jurisdiction of the maintaining authority  
24 issuing the permit only upon prior approval of the maintaining authority having  
25 jurisdiction over those highways.

**ENGROSSED SENATE BILL 509****SECTION 61**

1           5. a. The governing body of a municipality or county may, by resolution or  
2 ordinance, authorize operation on any or all highways under the municipality's or  
3 county's jurisdiction of implements of husbandry and agricultural commercial motor  
4 vehicles that exceed limitations on length or weight, or both, imposed by this chapter.  
5 If the governing body of a municipality or county adopts a resolution or ordinance  
6 under this subd. 5. a., the resolution or ordinance shall be valid for at least one  
7 calendar year. For a resolution or ordinance under this subd. 5. a. to be effective in  
8 any calendar year, the resolution or ordinance must be adopted on or before January  
9 15 of that calendar year or in a prior year.

10           b. If the governing body of a municipality or county adopts a resolution or  
11 ordinance under subd. 5. a., then subd. 3. and par. (c) 3. do not apply, no permit  
12 application is required, and the resolution or ordinance shall serve as the permit  
13 under this subsection. The governing body of the municipality or county shall make  
14 copies of the resolution or ordinance readily available to the public at multiple  
15 locations within the municipality or county.

16           c. If the governing body of a municipality or county adopts a resolution or  
17 ordinance under subd. 5. a. that applies to fewer than all of the highways under the  
18 municipality's or county's jurisdiction or that authorizes operation of implements of  
19 husbandry and agricultural commercial motor vehicles but imposes conditions,  
20 restrictions, or limitations on this operation, then a person may apply for a permit  
21 under subd. 1. for operation of an implement of husbandry or agricultural  
22 commercial motor vehicle on any highway or under any circumstance not authorized  
23 by the resolution or ordinance.

24           d. Each municipality or county that adopts a resolution or ordinance under this  
25 subdivision shall forward to the department a copy of the resolution or ordinance,

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1 and the department shall publish the resolution or ordinance on the department's  
2 Internet site.

3 (c) 1. With respect to any highway under its jurisdiction, and as provided in par.  
4 (b) 4m. b., a maintaining authority may issue an annual or consecutive month, no-fee  
5 permit authorizing operation on the highway of an implement of husbandry or  
6 agricultural commercial motor vehicle that exceeds limitations on length or weight,  
7 or both, imposed by this chapter if the applicable requirements of this subsection are  
8 satisfied.

9 2. A no-fee permit issued under this subsection does not exempt any implement  
10 of husbandry or agricultural commercial motor vehicle from complying with all  
11 equipment and other requirements for an implement of husbandry or agricultural  
12 commercial motor vehicle specified in ch. 347.

13 3. Except as provided in par. (b) 5. b., an application for a no-fee permit under  
14 this subsection shall be accompanied by a listing or map of the highways that may  
15 potentially be traveled under authorization of the permit.

16 4. A no-fee permit issued under this subsection is not valid on any highway that  
17 is a part of the national system of interstate and defense highways.

18 5. No fee may be charged for issuance or amendment of a permit under this  
19 subsection, or for any study, investigation, or other review in connection with an  
20 application for a permit or amendment of a permit under this subsection.

21 6. A maintaining authority under par. (a) 2. may issue permits under this  
22 subsection having a valid period that is longer than one year or for which there is no  
23 expiration.

24 7. Permits issued under this subsection by a maintaining authority under par.  
25 (a) 1., including amended permits for which an application has been approved under

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1 par. (b) 2., shall automatically renew each year unless there is a material change to  
2 any roadway for which the permit applies.

3 (d) 1. The department shall prescribe an application form for no-fee permits,  
4 and amendments to no-fee permits, under this subsection. Except with respect to  
5 permits under par. (b) 5. b., this form shall be used by each maintaining authority.  
6 The application form shall require the applicant to provide, on the form or as an  
7 attachment, all of the following information:

8 a. The applicant's contact information.

9 b. A listing or map of the highways that may potentially be traveled under  
10 authorization of the permit.

11 c. Identification of the types of implements of husbandry or agricultural  
12 commercial motor vehicles for which the application is made; the length, number of  
13 axles, make, model, and estimated weight of the implements of husbandry or  
14 agricultural commercial motor vehicles; and the time of year and frequency that  
15 these implements of husbandry or agricultural commercial motor vehicles are  
16 expected to be operated on the highway.

17 d. Changes to the original application when requesting an amendment to a  
18 previously issued no-fee permit.

19 e. Any other information considered necessary by the department to determine  
20 the acceptability of the application.

21 2. The department shall prescribe a procedure for the submission of  
22 applications to the maintaining authority under par. (b) 1. and 2. The procedure  
23 shall allow an application to be submitted by mail, including certified mail, by  
24 electronic transmission, or in person, and shall include a method for accurately

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1 documenting the date of receipt of the application regardless of which delivery  
2 method is used.

3 3. a. Except as provided in subd. 3. b., c., and d., a maintaining authority shall  
4 keep confidential all information provided by an applicant for a permit under this  
5 subsection and this information is not open to public inspection, copying, or  
6 disclosure under s. 19.35.

7 b. A maintaining authority described in par. (a) 2. shall disclose to the  
8 department, upon its request, information provided by an applicant for a permit  
9 under this subsection, but the department shall keep the information confidential,  
10 and this information is not open to public inspection, copying, or disclosure under s.  
11 19.35.

12 c. A maintaining authority shall, upon request, disclose to a law enforcement  
13 agency, for use only for law enforcement purposes, information provided by an  
14 applicant for a permit under this subsection.

15 d. This subdivision does not prohibit a maintaining authority from disclosing  
16 on a permit under this subsection the information necessary to carry out the purpose  
17 of the permit.

18 (e) 1. In this paragraph, “adverse determination” means the denial of an  
19 application for issuance or amendment of a no-fee permit under this subsection.

20 2. Notwithstanding s. 348.25 (9), any person aggrieved by an adverse  
21 determination by a municipality or county may obtain review of the adverse  
22 determination in the manner provided in ch. 68 or as provided under an ordinance  
23 or resolution adopted under s. 68.16. However, review of the initial determination  
24 of the municipality or county, under s. 68.09 or 68.10 or under the equivalent  
25 provision of an ordinance or resolution adopted by a municipality under s. 68.16,

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1 shall be made by, respectively, the governing body of the municipality or the county  
2 highway committee of the county.

3 3. Any person aggrieved by an adverse determination by the department may  
4 petition as provided in s. 348.25 (9).

5 (f) 1. Except as provided in subd. 2., this subsection does not apply after  
6 January 1, 2020, and any permit issued under this subsection or resolution or  
7 ordinance adopted under par. (b) 5. a. on or before January 1, 2020, is void after  
8 January 1, 2020.

9 2. The confidentiality requirements under par. (d) 3. continue to apply after  
10 January 1, 2020, to all application information provided on or before January 1,  
11 2020.

12 **SECTION 61m.** 348.28 (1) of the statutes is renumbered 348.28 (1) (a) and  
13 amended to read:

14 348.28 (1) (a) Permits issued under ss. 348.25, 348.26 and 348.27, other than  
15 a permit described in s. 348.27 (19) (b) 5. b., shall be carried on the vehicle during  
16 operations so permitted. This paragraph does not apply after January 1, 2020, with  
17 respect to a permit issued under s. 348.27 (19).

18 **SECTION 61p.** 348.28 (1) (b) of the statutes is created to read:

19 348.28 (1) (b) Permits issued under s. 348.27 (19) that are required to be carried  
20 on the vehicle under par. (a) may be carried and produced in either printed or  
21 electronic format, including by display of electronic images on a cellular telephone  
22 or other electronic device. If the permit is displayed in electronic format on any  
23 cellular telephone or other electronic device, a traffic officer or inspector under s.  
24 110.07 (3) may not view, and producing the permit in electronic format is not  
25 considered consent for the traffic officer or inspector to view, any content on the

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1 telephone or other device except the permit. This paragraph does not apply after  
2 January 1, 2020.

3 **SECTION 62. Nonstatutory provisions.**

4 (1) No later than the 30th day after the effective date of this subsection, the  
5 department of transportation shall prescribe the form and procedures specified in  
6 section 348.27 (19) (d) of the statutes, as created by this act. For purposes of this  
7 subsection, the form and procedures shall not be considered a rule under section  
8 227.01 (13) of the statutes.

9 (2) Notwithstanding section 348.27 (19) (b) 3. and (d) 1. of the statutes, as  
10 created by this act, applications under section 348.27 (19) (b) 1. and 2. of the statutes,  
11 as created by this act, are not required to be made on the form prescribed under  
12 section 348.27 (19) (d) 1. of the statutes, as created by this act, until January 1, 2015.

13 (3) Notwithstanding section 13.096 (2) of the statutes, the department of  
14 transportation shall not prepare a report on this bill under section 13.096 (2) and (3)  
15 of the statutes because the department recently completed the Implements of  
16 Husbandry Study, with a Phase II report dated July 31, 2013, and a Phase II  
17 addendum report dated September 20, 2013, which contained the same or similar  
18 information that would be contained in a report on this bill under section 13.096 (2)  
19 and (3) of the statutes.

20 (4m) (a) Notwithstanding sections 348.15, 348.16, and 348.21 of the statutes,  
21 as affected by this act, but subject to paragraph (b), during the period beginning on  
22 the effective date of this paragraph and ending on January 14, 2015, no officer of the  
23 state traffic patrol under section 110.07 (1) of the statutes, and no inspector under  
24 section 110.07 (3) of the statutes, may issue a citation to a person for violating any  
25 provision of sections 348.15 and 348.16 of the statutes, as affected by this act, while

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1 operating an implement of husbandry described in section 340.01 (24) (a) 1. a. or b.  
2 of the statutes, as affected by this act. A state traffic patrol officer or inspector may  
3 issue a warning notice for any violation specified in this paragraph.

4 (am) Notwithstanding sections 348.05, 348.06, 348.07, and 348.08 of the  
5 statutes, as affected by this act, but subject to paragraph (b), during the period  
6 beginning on the effective date of this paragraph and ending on January 14, 2015,  
7 no officer of the state traffic patrol under section 110.07 (1) of the statutes, and no  
8 inspector under section 110.07 (3) of the statutes, may issue a citation to a person for  
9 violating any provision of sections 348.05, 348.06, 348.07, and 348.08 of the statutes,  
10 as affected by this act, while operating an implement of husbandry described in  
11 section 340.01 (24) (a) 1. a. or b. of the statutes, as affected by this act. A state traffic  
12 patrol officer or inspector may issue a warning notice for any violation specified in  
13 this paragraph.

14 (b) Paragraph (a) does not apply to an implement of husbandry described in  
15 section 340.01 (24) (a) 1. a. or b. of the statutes, as affected by this act, being operated  
16 on any highway that is a part of the national system of interstate and defense  
17 highways.

18 **SECTION 63. Effective dates.** This act takes effect on the 30th day after the  
19 day of publication, except as follows:

20 (1) SECTION 62 (1) and (3) of this act takes effect on the day after publication.

21 (2) The treatment of sections 100.47 (2) (c), 346.05 (1) (g), 346.09 (1), 346.13 (1),  
22 (2), (3), and (4), 347.21 (1m) and (2), 347.22 (2), 347.24 (3), 347.245 (1) and (5), 347.25  
23 (2g), and 348.05 (2) (a) (by SECTION 27) of the statutes, the renumbering and  
24 amendment of section 348.05 (2g) of the statutes, and the creation of section 348.05

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1 (2g) (b) of the statutes take effect on the first day of the 19th month beginning after  
2 publication.

3 (3) The treatment of section 100.47 (4) (intro.) of the statutes, the renumbering  
4 of section 100.47 (3) of the statutes, and the creation of section 100.47 (3) (b) of the  
5 statutes take effect on January 1, 2015.

6 (4m) The treatment of sections 340.01 (1o) and (24), 348.01 (2) (bg) and (bp),  
7 348.15 (3) (b), (d), (f) 2., and (g), (8), and (9), 348.16 (2), and 348.21 (3) (intro.) and (3t)  
8 of the statutes and SECTION 62 (4m) (a) and (b) of this act take effect on the day of  
9 publication.

10 (END)